

**STATE OF ILLINOIS
HUMAN RIGHTS COMMISSION**

Meeting of the Commission
October 24, 2012
10:00 a.m.

James R. Thompson Center
Murdock Room - IDHS
Suite 5-300
100 West Randolph Street
Chicago, IL 60601

and

Lincoln Land Training Center
130 W. Mason Street
Room 104
Springfield, Illinois

MINUTES

PRESENT:

Commissioners

In Chicago

Chairman Martin R. Castro
Robert A. Cantone
David Chang
Terry Cosgrove
Nabi Fakhroddin
Marylee V. Freeman (via telephone)
Rozanne Ronen
David J. Walsh
Patricia Bakalis Yadgir
Diane M. Viverito

In Springfield

Marti Baricevic

Absent

None

Staff

Keith N. Chambers
Michael J. Evans
LaNade Bridges
Donyelle L. Gray
Evelio Mora

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Christine Welninski
Shedia Ahmadzadeh (Coles Fellow)
Stephanie Northrop (Coles Fellow)
Mandy Lee (Volunteer Attorney)

Members of Public: Sultan Komut
Muhammad Tayyab
Dipli Shmsul Islan
Bhoopendra Raj Adhikary

NOTICE:

Public and closed meetings of the Illinois Human Rights Commission are audio recorded.

I. Call to Order

On October 24, 2012, at 10:04 a.m., Chairman Martin R. Castro called to order a meeting of the Illinois Human Rights Commission.

Pursuant to the Illinois Open Meetings Act, 5 ILCS 120/1 et seq., it was determined that:

- 1) A quorum of the public body was present at the meeting.
- 2) Prior to the meeting Commissioner Freeman requested to participate via telephone. The Commission voted to allow Commissioner Freeman to participate in the meeting via telephone. Motion made by Commissioner Nabi and seconded by Commissioner Cantone. Motion carried 10-0.

II. Consideration of Minutes

September 24, 2012

The Commission voted to approve the minutes of the September 24, 2012, meeting as submitted by staff. Motion to approve the minutes made by Commissioner Ronen and seconded by Commissioner Nabi. Motion carried 11-0.

III. Chairman's Report

Martin R. Castro, Chairman

Chairman Castro reported he had conversations with the Governor's legislative liaison to discuss proposed legislation for the Commission.

The Chairman then deferred his report to New Business part of the agenda.

IV. Staff Reports

A. *N. Keith Chambers, Executive Director*

Mr. Chambers announced that the meeting scheduled with the Governor's Office on October 25, 2012, was canceled and would be rescheduled. The purpose of the meeting was to discuss legislative proposals for the upcoming legislation session.

Mr. Chambers announced the Commission should presently discuss any proposed legislation for the upcoming legislative agenda.

Mr. Chambers updated the Commission on the status of the Commission's annual report. Mr. Chambers reported that information on the report is still being gathered and he will have an updated report by the next *en banc* meeting.

Mr. Chambers reported on the Commission's FY2014 budget. Mr. Chambers reported that he has met with the Office of Management and Budget ("OMB") and has submitted a maintenance budget. The maintenance budget addressed the need for more funds for the General Counsel section, ALJ staffing, ALJ salary adjustment and technological upgrades.

Mr. Chambers reported that OMB was requesting a proposal for a 10% cut and a 5% cut in the Commission's budget. Mr. Chambers informed the Commission that all state agencies were asked to submit similar proposals.

Mr. Chambers discussed the Commission's legislative outreach initiative. Mr. Chambers provided a grid with legislative relationships of each of the Commissioners. The grid also provided space so the Commissioner can place any additional information. Mr. Chambers further requested the Commissioners provide any corrections. An updated grid will be distributed on the next *en banc* meeting.

Mr. Chambers reported on the status of the Illinois Torture Inquiry and Relief Commission ("TIRC"). TIRC was approved to receive a grant from the Illinois Criminal Information Justice Authority.

Finally, Mr. Chambers announced that the Illinois Department of Human Rights was hosting a United Nations Day Celebration in the concourse level of the Thompson Center on today's date and that all are welcomed to attend.

B. *Dr. Ewa I. Ewa, Chief Fiscal Officer*

Dr. Ewa reported that he submitted the two proposed budgets with the 10% and 5% cuts, as requested by OMB.

Dr. Ewa reported that a 10% budget cut would result in the Commission losing two staff members. The 5% cut would result in the Commission losing one staff member.

Dr. Ewa explained that the Commission must make an effort to remove TIRC from the Commission's budget.

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Dr. Ewa explained that he can sever TIRC from the HRC budget by creating a different line item in the Commission's budget. Second, TIRC can be given its own budget initiative from the Illinois Comptroller's Office.

Dr. Ewa explained to the Commission that in order for the Commission to survive, the Commission would have to go back to its FY12 budget. Dr. Ewa further stressed to the Commission that a new meeting should be convened to let the OMB know that the Commission would not be able to function with any further reduction in staff.

Chairman Castro raised the issue of seeking grant funding for the Commission. A conversation ensued on this issue and it was decided to identify areas where the Commission may seek grant funding and to explore the issue in more detail.

C. Michael J. Evans, Chief Administrative Law Judge

Judge Evans submitted the Administrative Law Section's statistics for the month of September 2012.

Judge Evans also announced that Administrative Law Judge William Borah will be a guest lecturer at an Employment Law class at IIT Law School on November 5, 2012.

D. Donyelle L. Gray, General Counsel

Ms. Gray reminded the Commission that the Open Meetings Act training must be completed by December 31, 2012.

Ms. Gray announced that she and Assistant General Counsel Evelio Mora will be attending the Midwest Public Interest Conference on February 2, 2013, to interview applicants for upcoming Coles Fellow positions.

Ms. Gray briefly discussed rules and regulations regarding political activity and contributions by state employees and appointees.

Ms. Gray reminded the Commissioners to submit their timesheets.

Ms. Gray introduced Fall Coles Fellow Adam Rayford and U.S. Department of State Legislative Fellow Bhoopendra Raj Adhikary.

V. Petition for Rehearing

A. *Sheldon Willis v. FEDEX Express Corp.*
Charge No.: 2003CA1591 ALS No.: 04-191

The Commission voted to deny the Petition. Motion made by Chairman Castro seconded by Commissioner Cantone. Motion carried 8-3.

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VI. New Business

Chairman Castro spoke about his meeting with the Governor's Legislative Committee. A discussion ensued whether to pursue any new legislation.

The Commission decided to pursue a severance from the TIRC and decided not to pursue any additional amendments to the Act regarding bullying.

Also, Mr. Chambers announced that he will continue to monitor any new legislation that will impact the Commission. Mr. Chambers will also speak to the Illinois Department of Human Rights on whether they have any pending legislation that may affect the Human Rights Act and/or the Commission.

VII. Unfinished Business

None

VIII. Executive Session

Executive Session

Pursuant to 5 ILCS § 120/2(c)(11) of the Open Meetings Act, the Commissioners voted to close a portion of the public meeting at 11:15 a.m. Motion made by Chairman Castro, seconded by Commissioner Nabi. Motion carried 11-0.

At 11:35 a.m., the open meeting resumed.

VIII. Additional New Business During Open Session

Mr. Chambers informed the Commissioners that some Commissioners' terms were set to expire at the end of January 2013. Pursuant to statute, if they were not reappointed within 60 days thereafter, their appointments would cease and the Commission would be left with several vacancies. Mr. Chambers stated he has flagged the Governor's office on this issue and the importance that action be taken on these appointments when the time arises.

IX. Adjournment

The meeting was adjourned at 11:40 a.m. Motion made by Commissioner Nabi, seconded by Commissioner Cosgrove. Motion carried 11-0.

Respectfully submitted,

Donyelle L. Gray
General Counsel